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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/848,870	05/04/2001	David M. Zendzian	DMZ01-0001	8372
28422	7590	11/10/2004	EXAMINER	
HOYT A. FLEMING III P.O. BOX 140678 BOISE, ID 83714			SIMITOSKI, MICHAEL J	
			ART UNIT	PAPER NUMBER
			2134	

DATE MAILED: 11/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<p align="center">Office Action Summary</p>	Application No. 09/848,870	Applicant(s) ZENDZIAN, DAVID M.	
	Examiner Michael J Simitoski	Art Unit 2134	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 29-39 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner. ✓
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/10/02</u> . | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
6) <input type="checkbox"/> Other: _____. |
|---|---|

DETAILED ACTION

1. The IDS of 1/10/02 was received and considered.
2. Claims 1-39 are pending.

Election/Restrictions

3. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-28 are directed to a system for displaying network data, classified in class 713, subclass 183.
 - II. Claims 29-39 are directed to a system for verifying software through a hash, classified in class 713, subclass 179.
4. Inventions I and II are related as sub combinations disclosed as usable together in a single combination. The sub combinations are distinct from each other if they are shown to be separately usable. In the instant case, inventions I and II have separate utility in that Group I has utility where a request to display data is verified via a password, not requiring a coded record; Group II has utility in authenticating a piece of software, not requiring password verification. See MPEP § 806.05(d).

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement, to be complete, must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

5. During a telephone conversation with Hoyt Fleming (208-336-5237) on 10/20/2004 a provisional election was made without traverse to prosecute the invention of Invention I, claims

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1-28. Affirmation of this election must be made by applicant in replying to this Office action.

Claims 29-39 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 3-4 & 16-17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 3 & 16, it is unclear whether the “request for network data”, “network data” or both “includes the name of a gateway server”. *For the purposes of this Office Action, the “request for network data” is understood to include the name of a gateway server.*

Regarding claims 4 & 17, it is unclear whether the “request for network data”, “network data” or both “includes the name of a monitoring server”. *For the purposes of this Office Action, the “request for network data” is understood to include the name of a monitoring server.*

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1-2, 8-13 & 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over “Using User Authentication” by Apache in view of “Free On-Line Dictionary of Computing” by LinuxGuruz, in further view of U.S. Patent Application Publication 2002/0147801 to Gullotta et al. (Gullotta).

Regarding claims 1, 2, 8, 11, 13 & 28, Apache discloses entering a request for the network data into a computer/browser, creating a network data request/authorization header, transmitting the network data request/authorization header from the computer/browser to a server/Apache web server (p. 1, ¶1-2 & p. 5, ¶2-6), verifying/checking the network data request by comparing the network data request to criteria (checking the password) (p. 5, ¶2-6), obtaining the network data/page, creating a data response/page, transmitting the data response/page from the server/Apache web server to the computer (p. 5, ¶2-6). Apache does not explicitly disclose displaying the network data/web page. However, LinuxGuruz teaches that a web browser is a piece of software specifically used to display html pages to a person (§browser). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to display the network data/web page. One of ordinary skill in the art would have been motivated to perform such a modification to use a web browser, as taught by LinuxGuruz. Apache, as modified above, lacks specifically a business rule. However, Gullotta teaches that RBAC is a form of provisioning that gives a user access to files based on a person's role in an organization (¶9) to improve efficiency (¶8). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to verify the request by comparing the request/authorization header to criteria defined by a business rule. One of

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ordinary skill in the art would have been motivated to perform such a modification to improve efficiency, as taught by Gullotta (§8-9).

Regarding claim 9, Apache, as modified above, lacks comparing a user ID to criteria defined by a business rule. However, LinuxGuruz teach that a user ID is commonly used to identify a user of a computer or group of computers (§user identifier). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to compare a user ID against criteria defined by a business rule. One of ordinary skill in the art would have been motivated to perform such a modification to allow a computer to identify a user, as taught by LinuxGuruz (§user identifier) to establish role-based permissions, as modified above by Gullotta (§8-9).

Regarding claim 10, Apache, as modified above, lacks explicitly comparing the organization of a user to criteria defined by a business rule. However, Gullotta teaches that a monitoring system can manage multiple organizations and as such, a user in a given organization will be restricted from accessing other organizations' data (§68). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to compare the organization of a user to criteria defined by a business rule. One of ordinary skill in the art would have been motivated to perform such a modification to manage multiple organizations, as taught by Gullotta (§68).

Regarding claim 12, Apache discloses controlling access/verifying a request by comparing information that identifies the computer/hostname (p. 5, ¶1).

10. Claims 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Apache, LinuxGuruz & Gullotta, as applied to claim 1 above, in further view of U.S. Patent 5,586,260 to

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Hu. Apache, as modified above, lacks including the name of a server in the request for data. However, Hu teaches that a client can call a proxy server to retrieve data from a server on behalf of the client (col. 1, lines 50-59) to allow authentication with no knowledge of the server's security protocol (col. 1, lines 41-44). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include identification of the server/proxy in the request. One of ordinary skill in the art would have been motivated to perform such a modification to allow authentication with no knowledge of the server's security protocol, as taught by Hu (col. 1, lines 41-59). Apache, as modified, but lacks explicitly including the "name" of a server. However, the examiner takes Official Notice that identifying a computer by "computer name" is old and well established in the art of computer networking as a method of identifying individual computers. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include in the request the name of the server (rather than, for instance, an IP address). One of ordinary skill in the art would have been motivated to perform such a modification to identify the individual servers. This advantage is well known to those skilled in the art.

11. Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Apache, LinuxGuruz & Gullotta, as applied to claim 1 above, in further view of Network Security, A Beginner's Guide by Maiwald. Apache, as modified above, lacks encrypting the network data request. However, Maiwald teaches that encryption allows authorized users to see information while hiding it from unauthorized individuals (p. 208). Maiwald further teaches that private key encryption (symmetric key) is the most widely used type of encryption (p. 211). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was

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made to encrypt the network data request with a first private key. One of ordinary skill in the art would have been motivated to perform such a modification to hide the data from unauthorized users, as taught by Maiwald (pp. 208-211).

12. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Apache, LinuxGuruz & Gullotta, as applied to claim 1 above, in further view of Applied Cryptography, Second Edition by Schneier. Apache, as modified above, lacks encrypting the network data request via a first private key and a second private key. However, Maiwald teaches that encryption allows authorized users to see information while hiding it from unauthorized individuals (p. 208). Maiwald further teaches that private key encryption (symmetric key) is the most widely used type of encryption (p. 211). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to encrypt the network data request with a first private key. One of ordinary skill in the art would have been motivated to perform such a modification to hide the data from unauthorized users, as taught by Maiwald (pp. 208-211). Further, Schneier teaches that multiple encryptions improve the security of a block algorithm (pp. 357-358). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further encrypt the network data request with a second private key. One of ordinary skill in the art would have been motivated to perform such a modification to improve the security of the network data request, as taught by Schneier (pp. 357-358).

13. Claims 14-17 & 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hu in view of LinuxGuruz.

Regarding claims 14-15 & 27, Hu discloses entering a request for the network data into a computer, creating a first network data request, transmitting the first network data request from the computer/client to a first server/proxy (col. 1, lines 19-24 & lines 50-67), verifying/authenticating the first network data request (col. 1, lines 60-67), creating a second network data request, transmitting the second network data request from the first server/proxy to a second server, verifying the second network data request (col. 2, lines 26-41), obtaining the network data (Fig. 4, #64), creating a first data response (Fig. 4, #66) transmitting the first data response from the second server to the first server/proxy (Fig. 4, #66), creating a second data response and transmitting the second data response from the first server/proxy to the computer/client (Fig. 4, #68). Hu lacks verifying the first data response and verifying the second data response. However Hu states that in some cases, the client will require that the server be authenticated (col. 1, lines 18-25). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to verify the first and second data responses. One of ordinary skill in the art would have been motivated to perform such a modification to authenticate the server to the client, as taught by Hu (col. 1, lines 18-25). As modified, Hu lacks explicitly displaying the data. However, LinuxGuruz teaches that computer uses view data received from web servers in browser (§browser). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to display the received data using a browser. One of ordinary skill in the art would have been motivated to perform such a modification to view web pages, as taught by LinuxGuruz (§browser).

Regarding claims 16-17, Hu, as modified above, discloses the client identifying the gateway/monitoring server, but lacks explicitly including the "name" of a monitoring server.

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However, the examiner takes Official Notice that identifying a computer by "computer name" is old and well established in the art of computer networking as a method of identifying individual computers. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include in the request the name of the server (rather than, for instance, an IP address). One of ordinary skill in the art would have been motivated to perform such a modification to identify the individual servers. This advantage is well known to those skilled in the art.

14. Claims 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hu in view of LinuxGuruz, as applied to claim 14 above, in further view of Schneier.

Regarding claims 18-19, Hu, as modified above, lacks encrypting the network data request via a first private key. However, Schneier teaches that to digitally sign a document, the document is encrypted with a private key (p. 37, ¶3). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to encrypt the data request via a first private key. One of ordinary skill in the art would have been motivated to perform such a modification to digitally sign the data request, as taught by Schneier (p. 37, ¶3).

Regarding claim 20, Hu, as modified above, lacks encrypting the network data request via a first private key and a second private key. However, Schneier teaches that to digitally sign a document, the document is encrypted with a private key (p. 37, ¶3). Schneier further teaches that a document can be signed by multiple users by signing the document once and then signing the signature (p. 39, §Multiple Signatures). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to encrypt the network data request via a first private key and a second private key. One of ordinary skill in the art would have been

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motivated to perform such a modification to digitally sign the request with multiple signatures, as taught by Schneier (pp. 37-39).

15. Claims 21-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hu in view of LinuxGuruz, as applied to claim 14 above, in further view of Gullotta.

Regarding claims 21 & 24, Hu, as modified above, lacks comparing the requested network data to criteria defined by a business rule. However, Gullotta teaches that RBAC is a form of provisioning that gives a user access to files based on a person's role in an organization (§9) to improve efficiency (§8). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to verify the request by comparing the request/authorization header to criteria defined by a business rule. One of ordinary skill in the art would have been motivated to perform such a modification to improve efficiency, as taught by Gullotta (§8-9).

Regarding claim 22, Hu, as modified above, lacks comparing a user ID to criteria defined by a business rule. However, Gullotta teaches that RBAC is a form of provisioning that gives a user access to files based on a person's role in an organization (§9) to improve efficiency (§8). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to verify the request by comparing the request/authorization header to criteria defined by a business rule. One of ordinary skill in the art would have been motivated to perform such a modification to improve efficiency, as taught by Gullotta (§8-9). Further, LinuxGuruz teach that a user ID is commonly used to identify a user of a computer or group of computers (§user identifier). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to compare a user ID against criteria defined by a

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business rule. One of ordinary skill in the art would have been motivated to perform such a modification to allow a computer to identify a user, as taught by LinuxGuruz (§user identifier) to establish role-based permissions, as modified above by Gullotta (§8-9).

Regarding claim 23, Hu, as modified above, lacks explicitly comparing the organization of a user to criteria defined by a business rule. However, Gullotta teaches that a monitoring system can manage multiple organizations and as such, a user in a given organization will be restricted from accessing other organizations' data (§68). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to compare the organization of a user to criteria defined by a business rule. One of ordinary skill in the art would have been motivated to perform such a modification to manage multiple organizations, as taught by Gullotta (§68).

16. Claims 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hu in view of LinuxGuruz, as applied to claim 14 above, in view of Gullotta, in further view of Apache. Hu, as modified above, lacks comparing information that identifies a computer/first server to criteria defined by a business rule. However, Gullotta teaches that RBAC is a form of provisioning that gives a user access to files based on a person's role in an organization (§9) to improve efficiency (§8). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to verify the request by comparing the request/authorization header to criteria defined by a business rule. One of ordinary skill in the art would have been motivated to perform such a modification to improve efficiency, as taught by Gullotta (§8-9). Further, Apache teaches that in HTTP authentication, it is known to restrict access to a web server based on a hostname (p. 5, §1). Therefore, it would have been obvious to

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one having ordinary skill in the art at the time the invention was made to compare information that identifies a computer to criteria defined by a business rule. One of ordinary skill in the art would have been motivated to perform such a modification to restrict access to a web server, as taught by Apache (p. 5, ¶1).

Conclusion

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Simitoski whose telephone number is (571) 272-3841. The examiner can normally be reached on Monday - Thursday, 6:45 a.m. - 4:15 p.m.. The examiner can also be reached on alternate Fridays from 6:45 a.m. – 3:15 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse can be reached at (571) 272-3838.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, DC 20231

Or faxed to:

(703)746-7239 (for formal communications intended for entry)

Or:

(571)273-3841 (Examiner's fax, for informal or draft communications, please label "PROPOSED" or "DRAFT")

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MJS

October 26, 2004


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